TWO ACTS

TO SUBMIT TO THE PEOPLE OF THIS STATE

CERTAIN AMENDMENTS TO THE CONSTITUTION,

RELATING TO THE

ELECTION OF THE MAYOR OF THE CITY OF NEW-YORK,

AND TO THE

REDUCTION OF THE DUTIES ON SALT.

TOGETHER WITH

FORMS AND INSTRUCTIONS

RELATING THEREETO,

PREPARED BY THE SECRETARY OF STATE

ALBANY:
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1833.

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STATE OF NEW-YORK, }
IN SENATE, *March 20th*, 1833. }

WHEREAS the senate, at the last session of the legislature, did resolve that the following amendment be proposed to the constitution of this state :

Resolved, That the duties on the manufacture of salt, as established by the act of the fifteenth of April, one thousand eight hundred and seventeen, and by the tenth section of the seventh article of the constitution of this state, may at any time hereafter be reduced by an act of the legislature of this state, but shall not, while the same is appropriated and pledged by the said section, be reduced below the sum of six cents upon each and every bushel, and the said duties shall remain inviolably appropriated and applied as is provided by the said tenth section; and that so much of the said tenth section of the seventh article of the constitution of this state as is inconsistent with this amendment be abrogated.

WHEREAS the said proposed amendment was at the last session agreed to by a majority of the members elected to each of the two houses, and was entered on their journals with the yeas and nays taken thereon, and was referred to the legislature then next to be chosen, and has been published three months previous to the time of making the choice of the members of the present legislature,

Resolved, That the senate do agree to the said proposed amendment; two-thirds of the members elected to the senate voting in favor thereof.

JOHN TRACY, *President.*

Attest, JOHN F. BACON, *Clerk.*

STATE OF NEW-YORK, }
IN ASSEMBLY, *April* 19, 1833. }

Resolved, That this house do agree to the said proposed amendment; two-thirds of all the members elected to this house voting in favor thereof.

CHAS. L. LIVINGSTON, *Speaker.*

Attest, FRANCIS SEGER, *Clerk.*

AN ACT

To submit to the people of this state a certain amendment to the constitution.

Passed April 29, 1833.

Preamble. WHEREAS, the following amendment to the constitution of this state was agreed to by a majority of all the members elected to each of the two branches of the legislature for the year one thousand eight hundred and thirty-two, and was also agreed to by two-thirds of all the members elected to each of the said two branches for the year one thousand eight hundred and thirty-three, pursuant to the eighth article of the said constitution; which said amendment is in the words following:

Amendment. "That the duties on the manufacture of salt, as established by the act of the fifteenth of April, one thousand eight hundred and seventeen, and by the tenth section of the seventh article of the constitution of this state, may at any time hereafter be reduced by an act of the legislature of this state, but shall not, while the same is appropriated and pledged by the said section, be reduced below the sum of six cents upon each and every bushel, and the said duties shall remain inviolably appropriated and applied as is provided by the said tenth section; and that so much of the said tenth section of the seventh article of the constitution of this state as is inconsistent with this amendment be abrogated."

Now, therefore, for the purpose of submitting the said proposed amendment to the people of this state,

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

Inspectors to provide a box. § 1. The inspectors at each poll in the several towns and wards of this state, at the annual election to be held on the first Monday of November next, shall provide a proper box to receive the ballots of the citizens of this state in relation to the said proposed amendment; and each voter shall present a ballot on which shall be written or printed, or partly written or partly printed, one of the following forms, or a form substantially the same,

Form of ballot. namely: first, "For authorising the legislature to reduce the duties on salt;" or, second, "Against authorising the legislature to reduce the duties on salt;" and all the citi-

Who entitled to vote. zens of this state entitled to vote for members of assembly in their respective counties, shall be entitled to vote on the adoption of the said proposed amendment during the days of such election, in the several towns and wards in which they reside.

§ 2. The said election shall be conducted in all respects in the manner provided by law in relation to the election of governor, lieutenant-governor and senators: persons offering to vote at such election may be challenged, and the same oath shall be administered in the like cases as provided by law in the election of a governor; and all the provisions of the sixth chapter and first part of the Revised Statutes, and of all acts amending the same, are hereby extended to the said election as far as the same may be applicable, except where provision is herein otherwise made. Election how conducted.

§ 3. After finally closing the poll of such election, the inspectors thereof shall count and canvass the ballots given in relation to the said proposed amendment, in the same manner as they are required by law to canvass the ballots given for governor, and thereupon shall set down in writing, and in words at full length, the whole number of votes given "For authorising the legislature to reduce the duties on salt," and the whole number of votes given "Against authorising the legislature to reduce the duties on salt," and shall certify and subscribe the same, and cause copies thereof to be made, certified and delivered, as prescribed by law in respect to the canvass of votes given at an election for governor. Duty of inspectors after closing the poll.

§ 4. The votes so given shall be canvassed by the board of county canvassers, and statements thereof shall be made, certified, signed and recorded, in the manner required by law in respect to the canvassing the votes given at an election for governor; and certified copies of the said statements and certificates of the county canvassers shall be made, certified and transmitted by the county clerks respectively, in the manner provided by law in cases of elections for governor: and which certified copies shall be canvassed by the board of state canvassers at the same time and in the like manner as provided by law in respect to the election of senators, and in like manner shall make and file a certificate of the result of such canvass, which shall be entered of record by the secretary of state, and shall be published by him in one newspaper in each senatorial district. Duty of county canvassers. Of county clerks. Of state canvassers. Of secretary of state.

§ 5. This act shall take effect immediately on its passage; and the secretary of state shall cause a number of copies of the same to be printed as shall be sufficient to supply the different officers of the state concerned in notifying, or holding elections, or canvassing the votes, and shall transmit the same to such officers with such forms and instructions as shall be necessary. Act how distributed.

STATE OF NEW-YORK, }
SECRETARY'S OFFICE. }

I have compared the preceding with the original act on file in this office, and certify the same to be a correct transcript therefrom, and of the whole of said original.

Albany, May 17, 1833.

JOHN A. DIX, *Secretary.*

STATE OF NEW-YORK, }
IN SENATE, *April* 22*d*, 1833. }

WHEREAS the senate, at the last session of the legislature, did resolve that the following amendment be proposed to the constitution of this state :

Resolved. At the end of the tenth section of the fourth article of the said constitution, add the following words: "Except in the city of New-York, in which the mayor shall be chosen annually by the electors thereof qualified to vote for the other charter officers of the said city, and at the time of the election of such officers."

WHEREAS, the said proposed amendment was at the last session agreed to by a majority of the members elected to each of the two houses, and was entered on their journals, with the yeas and nays taken thereon, and was referred to the legislature then next to be chosen, and has been published for three months previous to the time of making the choice of the members of the present legislature:

Resolved, That the senate do agree to the proposed amendment; two-thirds of all the members elected to the senate voting in favor thereof.

JOHN TRACY, *President.*

Attest, JOHN F. BACON, *Clerk of the Senate.*

STATE OF NEW-YORK, }
IN ASSEMBLY, *April* 25*th*, 1833. }

Resolved, That the assembly do agree to the said proposed amendment; two-thirds of all the members elected to the assembly voting in favor thereof.

CHAS. L. LIVINGSTON, *Speaker.*

Attest, FRANCIS SEGER, *Clerk of the Assembly.*

AN ACT

To submit to the people of this state a certain amendment to the constitution, relating to the election of the mayor of the city of New-York.

Passed April 29, 1833.

WHEREAS, the following amendment to the constitution of this state was agreed to by a majority of all the members elected to each of the two branches of the legislature for the year one thousand eight hundred and thirty-two, and was also agreed to by two-thirds of all the members elected to each of the said two branches for the year one thousand eight hundred and thirty-three, pursuant to the eighth article of the said constitution; which said amendment is in the words following: Preamble.

"At the end of the tenth section of the fourth article of the said constitution, add the following words: 'Except in the city of New-York, in which the mayor shall be chosen annually by the electors thereof qualified to vote for the other charter officers of the said city, and at the time of the election of such officers.'" Amendment.

Now, therefore, for the purpose of submitting the said proposed amendment to the people of this state,

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. The inspectors at each poll in the several towns and wards of this state, at the annual election to be held on the first Monday of November next, shall provide a proper box to receive the ballots of the citizens of this state in relation to the said proposed amendment; and each voter shall present a ballot on which shall be written or printed, or partly written or partly printed, one of the following forms, or a form substantially the same, namely: first, "For electing the mayor of the city of New-York by the electors thereof;" or, second, "Against electing the mayor of the city of New-York by the electors thereof:" And all the citizens of this state entitled to vote for members of assembly in their respective counties, shall be entitled to vote on the adoption of the said proposed amendment during the days of such election, in the several towns and wards in which they reside. Inspectors to provide a box. Form of ballot. Who entitled to vote.

§ 2. The said election shall be conducted in all respects in the manner prescribed by law in relation to the election of governor, lieutenant-governor and senators; persons offering to vote at such election may be challenged, and the same oath shall be administered in the like cases as provided by law in the election of a governor; and all the provisions of the sixth chapter and first part of the Election how conducted.

Revised Statutes, and of all acts amending the same, are hereby extended to the said election as far as the same may be applicable, except where provision is herein otherwise made.

Duty of inspectors after closing the poll.

§ 3. After finally closing the poll of such election, the inspectors thereof shall count and canvass the ballots given in relation to the said proposed amendment, in the same manner as they are required by law to canvass the ballots given for governor; and thereupon shall set down in writing, and in words at full length, the whole number of votes given "For electing the mayor of the city of New-York by the electors thereof," and the whole number of votes given "Against electing the mayor of the city of New-York by the electors thereof," and shall certify and subscribe the same, and cause copies thereof to be made, certified and delivered, as prescribed by law in respect to the canvass of votes given at an election for governor.

Duty of county canvassers

§ 4. The votes so given shall be canvassed by the board of county canvassers, and statements thereof shall be made, certified, signed and recorded in the manner required by law in respect to the canvassing the votes given at an election for governor; and certified copies of the said statements and certificates of the county canvassers shall

Of county clerks.

be made, certified and transmitted, by the county clerks respectively, in the manner provided by law in cases of elections for governor; and which certified copies shall be

Of state canvassers.

canvassed by the board of state canvassers at the same time and in the like manner as provided by law in respect to the election of senators; and in like manner shall make and file a certificate of the result of such canvass, which

Of secretary of state.

shall be entered of record by the secretary of state, and shall be published by him in one newspaper in each senatorial district.

Act how distributed.

§ 5. This act shall take effect immediately on its passage; and the secretary of state shall cause a number of copies of the same to be printed as shall be sufficient to supply the different officers of the state concerned in notifying, or holding elections, or canvassing the votes, and shall transmit the same to such officers, with such forms and instructions as shall be necessary.

STATE OF NEW-YORK, }
SECRETARY'S OFFICE. }

I have compared the preceding with the original act on file in this office, and do certify the same to be a correct transcript therefrom, and of the whole of said original.

Albany, May 17, 1833.

JOHN A. DIX, *Secretary.*

INSTRUCTIONS AND FORMS,

Prepared in obedience to the fifth section of each of the preceding acts.

The inspectors of election of each town and ward will provide a separate box to receive the votes on the amendment of the constitution relating to the election of mayor of New-York, on which shall be written or printed "Mayor of New-York."

The said inspectors will also prepare a separate box to receive the votes on the amendment of the constitution relating to the reduction of the duties on salt, on which shall be written or printed "Duties on salt."

The sheriff of each county will insert in the notice, which he is required to give to one of the inspectors in each town [or ward] in his county, (see form No. 1 of forms of notices, &c. prepared by the secretary of state under chapter 6 part 1 of the Revised Statutes,) the following additional clause:

"At the same election, the proposed amendments to the constitution specified in the said notice from the secretary of state, will be submitted to the people."

The sheriff of each county will also insert in the "election notice," (form No. 2 of the forms before mentioned,) which he is required to publish once in each week in all the newspapers in the county, with the notice from the secretary of state, the following additional clause, viz:

"At the same election, the proposed amendments to the constitution specified in the said notice from the secretary of state, will be submitted to the people."

The inspector of election in each town or ward, who receives the notice of the sheriff, (form No. 1 of forms, &c.) will add to the notice, which he is required to give to each of the inspectors of election in his town or ward, (form No. 3 of said forms,) after the words "*at the next general election*," the following additional clause, viz:

"And that certain proposed amendments to the constitution will at said election be submitted to the people."

The notice will then be continued with the words,

"Which notice, and the papers accompanying the same, will be produced at a meeting," &c. and completed in the usual form.

The board of inspectors, in giving notice of the time and place of holding the election, (form No. 4 of said forms,) will, after enumerating the officers to be voted for and the vacancies, (if any there be,) to be filled, add the following clause, viz:

"At the said election the following proposed amendments to the constitution of this state will be submitted to the people, viz:

1. "For electing the mayor of the city of New-York by the electors thereof.

2. "For authorising the legislature to reduce the duties on salt."

The notice will then be completed by signing and dating it in the usual form, and posted up as directed in the note appended to said form No. 4.

TOWN CANVASS.

Statement of Canvass by the Inspectors of election.

We, the board of inspectors of election for the town of in the county of do certify, that the following is a correct statement of the votes taken at the general election held in said town on the 4th, 5th and 6th days of November, 1833, in pursuance of "An act to submit to the people of this state a certain amendment to the constitution relating to the election of the mayor of the city of New-York," passed April 29, 1833, and of "An act to submit to the people of this state a certain amendment to the constitution," passed April 29, 1833, viz:

votes were given
"For electing the mayor of the city of New-York by the electors thereof."

votes were given
"Against electing the mayor of the city of New-York by the electors thereof."

votes were given
"For authorizing the legislature to reduce the duties on salt."

votes were given
"Against authorizing the legislature to reduce the duties on salt."

In witness whereof, we have hereunto subscribed our names, this day of November, 1833.

A. B.
C. D.
E. F. } *Inspectors of election.*

☞ The number of votes must not be put down in figures nor abbreviated, but must be written at full length.

☞ The foregoing statement will be delivered to such one of the inspectors as shall be appointed by the board to attend the county canvass, and will be by him produced at the office of the clerk of the county on the Tuesday next following the election, before one o'clock in the afternoon of that day.

COUNTY CANVASS.

Statement by the Board of Canvassers.

We, the board of county canvassers of the votes taken at a general election held in the county of on the 4th, 5th and 6th days of November, 1833, having received the statements of the votes taken in each town (or ward) of the said county, in pursuance of "An act to submit to the people of this state a certain amendment to the constitution relating to the election of the mayor of the city of New-York," passed 29th April, 1833, and of "An act to submit to the people of this state a certain amendment to the constitution," passed 29th April, 1833, do certify, that the votes last mentioned are as follows, viz:

votes were given
"For electing the mayor of the city of New-York by the electors thereof."

votes were given
"Against electing the mayor of the city of New-York by the electors thereof."

votes were given
"For authorizing the legislature to reduce the duties on salt."

votes were given
"Against authorising the legistature to reduce the duties on salt."

In witness whereof, we have caused this statement to be attested according to law, by the signatures of our chairman and secretary.

A. B., *Chairman.*

C. D., *Secretary.*

☞ The county clerk should prepare three copies of the above statement, and transmit by mail, one to the governor, one to the comptroller and one to the secretary of state, before the third Monday of November following the election, certified as follows:

I hereby certify that the foregoing is a true copy of the statement made by the board of county canvassers of the votes given in relation to certain proposed amendments to the constitution, in pursuance of the two acts therein mentioned, passed 29th April, 1833.

Given under my hand and seal of office, at this day of November, 1833.

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